

## Bureau of Land Management, Interior

## § 3214.10

### **§ 3213.13 When does relinquishment take effect?**

(a) If BLM determines your relinquishment request meets the requirements of §§ 3213.11 and 3213.12, your relinquishment is effective the day we receive it.

(b) Notwithstanding the relinquishment, you and your surety continue to be responsible for:

- (1) Paying all rents and royalties due before the relinquishment was effective;
- (2) Plugging and abandoning all wells on the relinquished land;
- (3) Restoring and reclaiming the surface and other resources; and
- (4) Complying with § 3200.4.

### **§ 3213.14 Will BLM terminate my lease if I do not pay my rent on time?**

(a) If MMS does not receive your second and subsequent year's rental payment in full by the lease anniversary date, MMS will notify you that the rent payment is overdue. You have 45 days after the anniversary date to pay the rent plus a 10 percent late fee. If MMS does not receive your rental plus the late fee by the end of the 45-day period, BLM will terminate your lease.

(b) If you receive notification from MMS under paragraph (a) of this section more than 15 days after the lease anniversary date, BLM will reinstate a lease that was terminated under paragraph (a) of this section if MMS receives the rent plus a 10 percent late fee within 30 days after you receive the notification.

### **§ 3213.15 How will BLM notify me if it terminates my lease?**

BLM will send you a notice of the termination by certified mail, return receipt requested.

### **§ 3213.16 May BLM cancel my lease?**

(a) BLM may cancel your lease if it was issued in error.

(b) If BLM cancels your lease because it was issued in error, the cancellation is effective when you receive it.

### **§ 3213.17 May BLM terminate my lease for reasons other than non-payment of rentals?**

BLM may terminate your lease for reasons other than non-payment of

rentals, after giving you 30 days written notice, if we determine that you violated the requirements of § 3200.4, including, but not limited to the non-payment of royalties and fees under 30 CFR parts 206 and 218.

### **§ 3213.18 When is a termination effective?**

If BLM terminates your lease because we determined that you violated the requirements of § 3200.4, the termination takes effect 30 days after the date you receive notice of our determination.

### **§ 3213.19 What can I do if BLM notifies me that my lease is being terminated because of a violation of the law, regulations, or lease terms?**

(a) You can prevent termination of your lease if, within 30 days after receipt of our notice:

- (1) You correct the violation; or
- (2) You show us that you cannot correct the violation during the 30-day period and that you are making a good faith attempt to correct the violation as quickly as possible, and thereafter you diligently proceed to correct the violation.

(b)(1) You may appeal the lease termination. You have 30 days after receipt of our notice to file an appeal (see parts 4 and 1840 of this title). We will stay the termination of your lease while your appeal is pending.

(2) You are entitled to a hearing on the violation or the proposed lease termination if you request the hearing when you file the appeal. The period for correction of the violation will be extended to 30 days after the decision on appeal is made if the decision concludes that a violation exists.

## **Subpart 3214—Personal and Surety Bonds**

### **§ 3214.10 Who must post a geothermal bond?**

(a) The lessee or operator must post a bond with BLM before exploration, drilling, or utilization operations begin.

(b) Before we approve a lease transfer or recognize a new designated operator, the lessee or operator must file a new bond or a rider to the existing bond,